

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

MARIA ANTONIA DE LA ROSA,	§	
Individually, and as Administrator of	§	
The Estate of ARNOLD DE LA ROSA	§	
(Deceased); ABIGAIL MONCIVAIS;	§	
SHANIA DE LA ROSA; ARNOLD DE	§	
LA ROSA, JR.; CONSUELO DE LA	§	CIVIL ACTION NO. 7:19-cv-00100
ROSA; and ALBERTO DE LA ROSA,	§	
SR.	§	
	§	
VS.	§	
	§	
SWIFT TRANSPORTATION CO. OF	§	
ARIZONA, LLC;	§	

DEFENDANT’S FIRST AMENDED TRIAL WITNESS LIST

COMES NOW **SWIFT TRANSPORTATION CO. OF ARIZONA, LLC**, Defendant in the above entitled matter, and makes and serves Defendant’s First Amended Trial Witness List, pursuant to the Court’s Amended Rule 16 Scheduling Order of September 17, 2021.

The order in which Defendant will call the identified witnesses will depend on whether they are previously called in Plaintiffs’ case in chief, and the evidence presented by the Plaintiffs. However, at this time, Defendant plans to call liability witnesses, then damages witnesses as set forth on this list.

I.

Defendant **expects** to call the following witnesses at the time of trial.

Witness Name	Live	Depo/ Video	Affidavit/ DWQ or Certification
Maria Antonia De La Rosa 8939 Atwater Creek San Antonio, TX 78425	✓		

<i>(Plaintiff, legal spouse of Arnold De La Rosa, Deceased, at time of subject accident);</i>			
Abigail Moncivais 8939 Atwater Creek San Antonio, TX 78425 <i>(Plaintiff, natural daughter of Arnold De La Rosa, Deceased)</i>	✓		
Arnold De La Rosa, Jr. 2233 Ivy Ave. McAllen, TX 78501 <i>(Plaintiff, natural son of Arnold De La Rosa, Deceased)</i>	✓		
Shania Hope De La Rosa 8939 Atwater Creek San Antonio, TX 78425 <i>(Plaintiff, natural daughter of Arnold De La Rosa, Deceased)</i>	✓		
Consuelo De La Rosa 518 Tower Rd. Alamo, TX 78516 <i>(Plaintiff, natural daughter of Arnold De La Rosa, Deceased)</i>	✓		
Alberto De La Rosa, Sr. 518 Tower Rd. Alamo, TX 78516 <i>(Plaintiff, natural son of Arnold De La Rosa, Deceased)</i>	✓		
Melissa Corns 2425 Briarwood Dr. Mission, TX 78574 <i>(received next of kin notification from TDPS re death of Arnold De La Rosa; knowledge of her relationship with Decedent and her living with Decedent during the relevant time period/years before the accident)</i>	✓		
Trooper Dennis Brassfield Texas Highway Patrol Texas Dept. of Public Safety 4200 Canyon Dr.	✓		

Amarillo, TX 79120 <i>(responding and investigating officer; will testify regarding his investigation and report of the accident)</i>			
Trooper Jered Snelgrooes Texas Highway Patrol Texas Dept. of Public Safety 4200 Canyon Dr. Amarillo, TX 79120 <i>(responding and investigating officer)</i>	✓		
Sgt. Jason Musick Texas Highway Patrol Texas Dept. of Public Safety 4200 Canyon Dr. Amarillo, TX 79120 <i>(responding and investigating officer)</i>	✓		
Trooper Brittany Sherman Texas Highway Patrol Texas Dept. of Public Safety 500 E. Tom Landry Blvd. Mission, TX 78752 <i>(law enforcement officers who conducted next of kin notification)</i>	✓		
Trooper Hector Gonzalez Texas Highway Patrol Texas Dept. of Public Safety 500 E. Tom Landry Blvd. Mission, TX 78752 <i>(law enforcement officers who conducted next of kin notification)</i>	✓		
Hon. Richard Herman Justice of the Peace, Pct. 2 Potter County 500 S. Fillmore, Suite 502 Amarillo, TX 79101	✓		

<i>(Justice of the Peace who ordered autopsy of Arnold De La Rosa)</i>			
Thomas R. Parsons, MD South Plains Forensic Pathology, PA 202 Ave. Q Lubbock, TX 79415 <i>(medical examiner who performed autopsy of Arnold De La Rosa)</i>	✓		
L. Paul Miller, Certifying Scientist NMS Labs 3701 Welsh Rd. P.O. Box 433A Willow Grove, PA 19090-0437 <i>(conducted toxicology tests for autopsy of Arnold De La Rosa)</i>	✓		
Scott Evans Senior Safety Director 2200 S 75th Ave, Phoenix, AZ 85043 (602) 269-9700 <i>(Corporate Representative for Swift Transportation Co. of Arizona, LLC)</i>	✓		

Additionally, Defendant reserves the right to call rebuttal witnesses or witnesses designated by Defendant at the time of trial, including but not limited to, any employees, personnel, custodian of records, agents and/or corporate representatives of Defendant.

II.

Defendant may call the following witnesses if the need arises.

Witness Name	Live	Depo/ Video	Affidavit/ DWQ or Certification
Mark Respass Robson Forensic 354 N. Prince St.	✓		

Lancaster, PA 17603 <i>(Plaintiffs' retained expert)</i>			
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III.

Defendant reserves the right to amend and/or supplement its Trial Witness List, following stipulations by counsel and/or rulings by the Court.

Defendant endorses all names of all persons referred to in any depositions taken and all persons whose names are endorsed by any other party.

Defendant reserves the right to elicit testimony from witnesses and/or experts endorsed by any other party herein.

Respectfully Submitted,

/s/ Jeff C. Wright

JEFF C. WRIGHT

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2022, a true and correct copy of the attached document was electronically transmitted to the Clerk of the Court using the ECF System for filing. Based on the electronic records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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/s/ Jeff C. Wright

JEFF C. WRIGHT